

IC 3-14-4

Chapter 4. Procedural Violations by Election Officers

IC 3-14-4-1

Unlawfully serving as precinct election board member

Sec. 1. A person who knowingly serves as a member of a precinct election board in violation of IC 3-6-6 commits a Class D felony.

As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.486.

IC 3-14-4-2

Inspectors; negligent or knowing failure to appear at election board's office

Sec. 2. An inspector who negligently or knowingly fails to appear at the county election board's office in person or by representative as required by IC 3-11-3 commits a Class D felony.

As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.487.

IC 3-14-4-3

Omission in performance of required duties

Sec. 3. A precinct election officer or public official upon whom a duty is imposed by this title who knowingly omits to perform the duty commits a Class D felony.

As added by P.L.5-1986, SEC.10.

IC 3-14-4-3.5

Voter registration information violations

Sec. 3.5. (a) This subsection applies before January 1, 2006. A circuit court clerk, member of a board of registration, or county official, responsible for maintaining computerized voter registration information who recklessly fails to comply with IC 3-7-26 more than thirty (30) days after being required to perform a duty under IC 3-7-26 commits a Class B misdemeanor.

(b) This subsection applies after December 31, 2005. A circuit court clerk, a member of a board of registration, a county official, or another person responsible for maintaining computerized voter registration information who recklessly fails to comply with IC 3-7-26.3 more than thirty (30) days after being required to perform a duty under IC 3-7-26.3 commits a Class B misdemeanor.

As added by P.L.3-1993, SEC.234. Amended by P.L.12-1995, SEC.89; P.L.3-1995, SEC.135; P.L.209-2003, SEC.193.

IC 3-14-4-4

Allowing observance of voter preparing ballot

Sec. 4. A member of a precinct election board who recklessly allows a booth or compartment in which a voter is preparing a ballot to be used:

(1) without a screen; or

(2) with a screen arranged so as not to shield the preparation of the ballot from observation;

commits a Class D felony.

As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.488.

IC 3-14-4-5 Repealed

(Repealed by P.L.5-1989, SEC.120.)

IC 3-14-4-6

Deposit of ballots not initialed or ballots externally defaced

Sec. 6. An inspector, or person acting in the inspector's behalf, who knowingly deposits:

- (1) a ballot upon which the initials of the poll clerks or authorized assistant poll clerks do not appear; or
- (2) a ballot on which appears externally a distinguishing mark or defacement;

commits a Class D felony.

As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.490.

IC 3-14-4-7

Disclosure of how voter voted or information regarding appearance of ballot voted

Sec. 7. A member of a precinct election board or a person otherwise entitled to the inspection of the ballots who knowingly:

- (1) reveals to another person how a voter has voted; or
- (2) gives information concerning the appearance of any ballot voted;

commits a Class D felony.

As added by P.L.5-1986, SEC.10.

IC 3-14-4-8

Opening or marking ballot or ascertaining how voter voted

Sec. 8. A member of a precinct election board, an absentee ballot counter appointed under IC 3-11.5-4-22, or a provisional ballot counter appointed under IC 3-11.7-3 who knowingly:

- (1) opens or marks, by folding or otherwise, a ballot presented by a voter, except as provided by law; or
- (2) tries to find out how the voter voted before the ballot is deposited in the ballot box or cast on a voting machine, ballot card voting system, or electronic voting system or counted by the absentee ballot counter;

commits a Class D felony.

As added by P.L.5-1986, SEC.10. Amended by P.L.3-1987, SEC.491; P.L.3-1993, SEC.235; P.L.19-1993, SEC.5; P.L.126-2002, SEC.90.

IC 3-14-4-9

Disclosure of votes or electioneering

Sec. 9. An election officer who knowingly:

- (1) discloses to a person the name of a candidate for whom a voter has voted or how a voter voted on a public question; or
- (2) does any electioneering on election day;

commits a Class A misdemeanor.

As added by P.L.5-1986, SEC.10. Amended by P.L.10-1988,

SEC.215; P.L.66-2003, SEC.53.

IC 3-14-4-10

Provision of information concerning absentee vote count before closing of polls

Sec. 10. A person who knowingly violates:

- (1) IC 3-11.5-5;
- (2) IC 3-11.5-6;
- (3) IC 3-12-2-1;
- (4) IC 3-12-2.5-9;
- (5) IC 3-12-3-14; or
- (6) IC 3-12-3.5-7;

by providing any other person with information concerning the number of votes a candidate received for an office or cast to approve or reject a public question on absentee ballots counted under IC 3-11.5-5, IC 3-11.5-6, or IC 3-12 before the closing of the polls commits a Class D felony.

As added by P.L.3-1993, SEC.236 and P.L.19-1993, SEC.6. Amended by P.L.3-1995, SEC.136.